

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,

Case No. 2:22-CR-263 JCM (NJK)

Plaintiff(s),

ORDER

v.

JOSHUA COLA,

Defendant(s).

Presently before the court is Magistrate Judge Nancy Kope's report and recommendation ("R&R"). (ECF No. 42). She recommends that defendant Joshua Cola ("defendant")'s unopposed motion to suppress statements (ECF No. 27) be granted.

Specifically, defendant argues that statements he made to law enforcement during his custodial interrogation after he invoked his right to counsel should be suppressed. (ECF No. 27 at 1). When defendant indicated that he wanted to speak with an attorney, the officer continued with the interrogation. (*Id.* at 4). The government filed a notice of non-opposition to defendant's motion. (ECF No. 38).

No objections were filed to the R&R. Thus, the court is not obligated to conduct a *de novo* review of the R&R. *See* 28 U.S.C. § 636(b)(1) (requiring courts to "make a *de novo* determination of those portions of the report or specified proposed findings to which objection is made"); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) ("the district judge must review the magistrate judge's findings and recommendations *de novo* if objection is made, but not otherwise.").

1 Accordingly,

2 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that Jude Koppe's R&R
3 (ECF No. 42) be, and the same hereby is, ADOPTED, in full.
4

5 IT IS FURTHER ORDERED that defendant Joshua Cola's unopposed motion to
6 suppress statements (ECF No. 27) is GRANTED.

7 DATED November 2, 2023.

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9 
UNITED STATES DISTRICT JUDGE